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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/590,970	06/09/2000	John H. Palevich	2520	2081

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EXAMINER

CHANG, JUNGWON

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 07/23/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/590,970	PALEVICH ET AL.	
	Examiner	Art Unit	
	Jungwon Chang	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-26 are presented for examination.
2. It is noted that the line numbers in claims do not correspond to the preferred format. The preferred format is to number each line of every claim with each claim beginning with line 1. For ease of reference by both the examiner and applicant all future correspondence should include the recommended line numbering.
3. Claims 1-12 are rejected under U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 1. The claim language in the following claims is not clearly understood:
 - i. As to claim 1, lines 1 and 2, it is not clearly described the relationship between a computer device and client device.
 - ii. Line 7, it is uncertain whether the read request refers to a file system read request in line 3.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breslau et al. (US 6,185,733 B1), hereinafter Breslau, in view of Pearson et al. (US 6,438,610 B1), hereinafter Pearson.

6. As to claims 1 and 13, Breslau discloses the invention substantially as claimed, including in a computer device connected to a remote server (fig. 1), a method comprising:

receiving a file system read request (i.e. read() operation) at a client device (col. 1, lines 30-38; col. 3, lines 47-49; col. 5, lines 7-14);

converting the file system read request (i.e., read() operation) to an access request of a remote transfer protocol (i.e., HTTP GET; 301-305, fig. 3; 504-517, fig. 5; col. 5, lines 37-65);

communicating the access request to the remote server having data corresponding to the file system read request maintained thereby (col. 7, lines 59-67; col. 8, lines 16-28); and

receiving data from the remote server in response to the access request (col. 6, lines 12-20)

7. Breslau does not specifically disclose reconvert the received data of the remote transfer protocol to correspond to the file system read request. However,

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Pearson discloses reconvertng the received data of the remote transfer protocol to correspond to the file system read request (col. 2, lines 3-31). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Breslau and Pearson because Pearson's reconvertng (i.e., decompression) the received data would improve the capacity of Breslau's system by allowing a client to restore the original image or text data for viewing.

8. As to claim 2, Breslau discloses the file system read request is converted to a HTTP byte range request (i.e. HTTP GET/PUT; 305, fig. 3; 512-514, fig. 5; col. 5, lines 37-65).

9. As to claim 3, Breslau does not specifically disclose compression and decompression of data. However, Pearson discloses data corresponding to the read request maintained on the remote server is compressed, and wherein reconvertng the received data of the remote transfer protocol to correspond to the file system read request includes decompressing the data. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Breslau and Pearson because Pearson's compression/decompression data would reduce the memory space by allowing the client to store the data in memory in the compressed form, thereby reducing the amount of bandwidth required to transmit the data.

10. As to claim 4, Breslau does not specifically disclose reconvertng the received

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data of the remote transfer protocol to correspond to the file system read request includes not returning more data than requested. However, Pearson discloses reconverting the received data of the remote transfer protocol to correspond to the file system read request includes not returning more data than requested (col. 3, line 49 – col. 4, line 12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Breslau and Pearson because Pearson's not returning more data than requested would improve data transport throughput and reduce memory space by avoiding a data overflow condition and wasting of resources to decompress more data than expected.

11. As to claims 5, 14, 21 and 22, Breslau discloses caching at least some of the received data at the client device (col. 6, lines 17-22).

12. As to claims 6, 7, 17 and 18, Breslau does not specifically disclose determining a set of at least one block in a remote file having the data. However, Pearson discloses determining a set of at least one block in a remote file having the data (col. 3, line 49 – col. 4, line 12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Breslau and Pearson because Pearson's determining a set of block would increase the efficiency of cache by allowing the server to be aware of block size of data thus allocating the data to the appropriate memory.

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13. As to claims 8 and 9, Breslau discloses converting the file system write request to an access request of a remote transfer protocol (i.e., HTTP GET/PUT; 301-305, fig. 3; 504-517, fig. 5; col. 5, lines 37-65).

14. As to claim 10, Breslau discloses the receiving a file system open request at a client device (col. 3, lines 54-55).

15. As to claim 11, Breslau discloses locally storing directory information maintained on the remote server (114, fig. 1; col. 4, lines 15-20).

16. As to claim 12, Breslau discloses the computing device is connected to the remote server via the Internet (107, fig. 1; col. 3, lines 32-36).

17. As to claim 15, Breslau discloses remote transfer protocol comprises HTTP (col. 6, lines 12-20).

18. As to claims 16 and 23, it is rejected for the same reasons set forth in claim 3 above.

19. As to claims 19 and 20, Breslau discloses file system request is a read request for a quantity of data (i.e. read() operation; col. 1, lines 30-38; col. 3, lines 47-49; col. 5, lines 7-14).

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20. As to claim 24, it is rejected for the same reasons set forth in claim 12 above.

21. As to claim 25, it is it is rejected for the same reasons set forth in claim 1 above. In addition, Breslau discloses computer-readable medium having computer executable instructions (col. 3, lines 59-64; col. 10, lines 20-22).

22. As to claim 26, it is rejected for the same reasons set forth in claim 15 above.

Conclusion

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Soderberg et al, patent 6,519,626 B1, Van Andel et al, patent 6,314,456 B1, Dillingham, patent 6,327,608 B1, Hsiao et al, patent 6,564,215 B1, Duncan et al, patent 6,163,844, Chase et al, patent 5,944,780, Gopal et al, patent 6,163,812, Slivka et al, patent 6,192,432 B1 disclose system and method for converting a file system path into a uniform resource locator.

Broadcast Services for Microsoft WIndows CE Set-Top Boxes, June 1999, Micorsoft Corporation, pp 1-11 discloses Windows CE that enables development of cable set-top box.

24. Any inquiry concerning this communication or earlier communications from the

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examiner should be directed to Jungwon Chang whose telephone number is (703)305-9669. The examiner can normally be reached on 8:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)308-9052. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-9669.

Jungwon Chang
July 18, 2003


ZARNI MAUNG
PRIMARY EXAMINER